

## **Exhibit 19**

*State of California ex. rel. Ven-A-Care of the Florida Keys, Inc. v.  
Abbott Laboratories, Inc., et al.*

Exhibit to the Declaration of Nicholas N. Paul in Support of  
Plaintiffs' Opposition to Defendants' Joint Motion for Partial Summary Judgment

Rubinfeld, Ph.D., Daniel      CONFIDENTIAL  
New York, NY

September 22, 2009

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In re: PHARMACEUTICAL INDUSTRY

AVERAGE WHOLESALE PRICE

LITIGATION

- - - - - X

THIS DOCUMENT RELATES TO:	MDL No. 1456
STATE OF CALIFORNIA ex rel.	Master File No.
VEN-A-CARE v. ABBOTT	01-12257-PBS
LABORATORIES, INC., et al.	Subcategory
Case No. 03-cv-11226-PBS	Case No. 06-11337

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C O N F I D E N T I A L

September 22, 2009

9:23 a.m.

Videotaped deposition of DANIEL L. RUBINFELD,  
Ph.D., taken by attorneys for Plaintiffs, pursuant  
to notice, held at the offices of White & Case,  
LLP, 1155 Avenue of the Americas, New York, New  
York, before Helen Mitchell, a Shorthand Reporter  
and Notary Public.

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1 me ask a different question.

2 Q. Would it be accurate to say that you  
3 would need some actual or average price information  
4 about selling prices of Sandoz's drugs in order to  
5 come up with an appropriate discount off of AWP's to  
6 end up with an estimate of the price generally and  
7 currently paid?

8 A. I would say it slightly differently. I  
9 would say that you would need independent  
10 information as to Sandoz invoice prices. You  
11 couldn't -- you wouldn't know what discount, if  
12 any, to have off AWP as a benchmark unless you  
13 actually had information about prices actually  
14 paid.

15 MS. THOMAS: I'd like to ask the court  
16 reporter to mark, please, as Rubinfeld Exhibit 1 a  
17 document labeled "Exhibit 3." It's a rather  
18 lengthy document, it's a spreadsheet, it does not  
19 have any Bates numbers.

20 (Spreadsheet labeled "Exhibit 3"  
21 marked Exhibit Rubinfeld 001 for identification.)

22 Q. Do you recognize this document?